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**Animal Care Center
(ACC) Locations**

Agoura ACC
29525 Agoura Rd.
Agoura Hills, CA 91301
(818) 991-0071

Baldwin Park ACC
4275 N. Elton St.
Baldwin Park, CA 91706
(626) 962-3577

Carson/Gardena ACC
216 W. Victoria St.
Gardena, CA 90248
(310) 523-9566

Castaic ACC
31044 N. Charlie Cyn.
Road
Castaic, CA 91384
(661) 257-3191

Downey ACC
11258 S. Garfield Ave.
Downey, CA 90242
(562) 940-6898

Lancaster ACC
5210 W. Avenue I
Lancaster, CA 93536
(661) 940-4191

Palmdale ACC
38550 Sierra Highway
Palmdale, CA 93550
(661) 575-2888

To Those Who Have Expressed Concern:

Thank you for contacting us regarding Los Angeles County Code Title 10 – Animals. Unfortunately, misinterpretations of these changes have caused some confusion and alarm. These concerns are concentrated on two issues – vicious dogs and community cats. Below is an explanation of these two subjects as how they are addressed in the County Code.

Community Cats

Definition of Custodian

The first concern states, “The first issue is that the current ordinance criminalizes trap-neuter-return (TNR) and the caregivers who work to help humanely reduce the population of community cats. The ordinance claims that these volunteers are legal ‘custodians’ of all of the cats they care for and then places onerous restrictions on their ability to do their work.”

In fact, the recent changes to the County Code did not make any changes in the County’s approach to community cats. The definition of “custodian” has been in Section 10.20.020 of the County Code since 1946. In October, 2015 the Board of Supervisors adopted a mandatory spay/neuter ordinance for cats, as it already had for dogs. During this ordinance change the definition of custodian was restated in Section 10.08, since Section 10.08 is the section of the Code that lists all definitions.

During the most recent ordinance change adopted on September 6, 2016, the original location of the definition was deleted from Section 10.20.020 because it had already been properly moved to Section 10.08.095 in the definitions chapter of the ordinance. It would be unnecessary and confusing to have the same definition in two places in the ordinance.

Spay and Neuter Services

The second concern states, “The law also makes it impossible to spay and neuter community cats in our taxpayer-funded county clinics. People who bring cats in to be sterilized must have written permission from the animal’s

“owner,” which means that unowned community cats are ineligible for these services, which will only lead to more kittens being born in the streets and alleys.”

The County has made no changes in its ordinance or its practices regarding the spay and neuter of cats in County clinics. Due to state law requirements that all adopted dogs and cats be spayed or neutered prior to adoption, the Department of Animal Care and Control’s spay/neuter clinics are required to give first priority to sterilizations of adopted animals. In the remaining available slots for private spay and neuter surgeries, the Department does accommodate pet owners or custodians who wish to sterilize animals.

Additionally, the Department of Animal Care and Control partners with a number of nonprofit low-cost spay and neuter clinics to provide services to the community. These include Spay4LA, the Amanda Foundation, the ASPCA, Bark Avenue, and the Lucy Pet Foundation. The County is committed to working with community partners to reduce the number of homeless animals born in Los Angeles County, and even provides spay and neuter vouchers to low income pet owners so they can afford to sterilize their pets.

Further, the Department of Animal Care and Control and the County of Los Angeles Department of Public Health worked closely with the prominent Los Angeles stray cat advocacy group, the Stray Cat Alliance, to craft a County policy on free roaming cats. This policy was developed in October 2009 to address stray cat advocates’ concerns regarding County impoundment of cats. A copy of this policy is attached for your information.

Vicious Dogs

The last concern states, “Finally, the county’s ordinance stigmatizes innocent dogs rescued from dogfighting busts (and even the puppies from these dogs, bred by dog fighters) by arbitrarily labeling them “vicious,” regardless of their individual personalities or behavior. That’s an outdated approach. The state vicious dog statute was recently changed to keep up with the times and remove these automatic labels, so our county ordinance needs to catch up. These dogs are victims of cruelty, and they deserve the chance to be evaluated as individuals and, if possible, adopted.”

This comment also misstates many facts regarding this issue. The County ordinance is very different from the rightfully eliminated state law; the County provides for a hearing process prior to declaring a dog vicious; and most importantly – the County added new language by which these dogs may have a vicious designation later removed. This progressive language to provide for the removal of a vicious dog designation for fighting dogs far surpassed anything previously provided and any that we are aware of in this country.

State Law Regarding Fighting Dogs

The state law you have been referred to, California Food and Agricultural Code Section 31603, defined vicious dogs (as they relate to fighting dogs), as "any dog seized under Section 599aa of the Penal Code and upon the sustaining of a conviction of the owner or keeper under subdivision (a) of Section 597.5 of the Penal Code."

This law's specific requirements made it extremely cumbersome and was not used by the County of Los Angeles. This law required that (1) the dog be seized under Section 599aa, which applies to seizures made by arresting officers; and (2) that the owner be convicted of dog fighting. Since criminal cases take several years to be adjudicated in court, waiting for the possible conviction of the owner was very impractical. This law was simply poorly written and not used. Nevertheless, it was good to remove it from state law since it was ineffective.

Los Angeles County Code Changes Regarding Fighting Dogs

On the other hand, Los Angeles County Code sections regarding fighting dogs are far more reasonable and properly balance public safety with the adoption possibilities for dogs seized from dog fighting operations. The Department of Animal Care and Control carefully evaluates every dog seized from a dog fighting operation. Unfortunately, many exhibit severe aggression and cannot be safely placed into the community. However, in the cases where a dog appears to be able to be rehabilitated the Department works with local animal rescue groups to provide rehabilitation for those dogs.

The claim that a vicious designation is arbitrary is incorrect. The County Code has always provided for a hearing process to determine whether a dog seized from a fighting operation should be declared vicious.

The recent changes to the County Code that relate to fighting dogs are (language crossed out was eliminated and language underlined was added):

10.37.110. Potentially ~~d~~Dangerous or ~~v~~Vicious ~~d~~Dog ~~h~~Hearing.

"A. Hearing. If an animal control ~~officer~~ or a law enforcement officer has investigated and determined that there is probable cause that a dog is potentially dangerous or vicious, the ~~d~~Director of the department of animal care and control ~~shall~~ may petition the Superior Court, within the judicial district wherein the dog is owned or kept, for a hearing, or ~~shall~~ serve a petition for an administrative hearing, to determine whether ~~or not~~ the dog ~~in question~~ should be declared potentially dangerous or vicious."

These changes were made for plain language reasons, to remove unnecessary language. **The opportunity for a hearing prior to declaring a fighting dog to be vicious has always been in the County ordinance.**

Further, during the most recent change to the ordinance, the County provided an additional opportunity for fighting dogs with "vicious" designations to have those designations later removed.

"10.37.160 B. Vicious Dog. A vicious dog determination based on Section 10.37.030.A. may be removed after one year if the dog is two years of age or older and the owner or custodian demonstrates to the Director that the dog poses no threat to people or animals."

Finally, the ordinance made one substantive change to the definition of vicious dogs as it relates to fighting dogs, to include dogs that are bred for fighting purposes to be subject to a vicious dog designation. This is because in many cases the Department has found very aggressive breeding dogs that have not been fought but exhibit all the aggressive behavioral traits of the dogs that have fought:

Section 10.37.030 A. "Any dog ~~which~~ that engages in or has been found to have been bred or trained to engage in exhibitions of fighting".

Conclusion

Community cats and fighting dogs are two issues that the County of Los Angeles takes very seriously and has proactively worked towards positive resolution. The recent changes to the County Code had no impact on the County's approach to community cats. The County works closely with many partners and offers programs to make spay and neuter affordable to its residents. The recent changes to the County Code regarding fighting dogs provide an additional opportunity for dogs seized from dog fighting operations to have their designation removed, while not sacrificing public safety.

I hope this letter clarifies these issues. Thank you again for allowing us the opportunity to address your concerns.

Sincerely,



MARCIA MAYEDA
Director

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County Policies Relating to Free-Roaming Cats



COUNTY OF LOS ANGELES DEPARTMENTS OF PUBLIC HEALTH AND ANIMAL CARE AND CONTROL

There are two County agencies involved in responding to public complaints about free-roaming cats and the frequently associated problems of accumulated fecal material and flea infestations: the Department of Public Health (DPH), and the Department of Animal Care and Control (DACC). DPH responds to residents' complaints and determines whether site conditions represent a public health risk or public nuisance. DACC receives free-roaming cats in its six shelters. Both DPH and DACC address cat-related problems only in response to complaints from the public, and neither of these departments engage in the routine trapping and removal of free-roaming cats.

Potential Public Health Risks

Fleas have been associated worldwide with emerging human infections including flea-borne typhus caused by the bacterium *Rickettsia felis*. Cat fleas, *Ctenocephalides felis*, regularly infest dogs, cats and opossums in Southern California, where typhus is common. Since 2006, Los Angeles and Orange Counties have had 94 reported human cases of this disease; all but one of the cases has been linked to the cat flea. While flea-borne typhus is treatable and rarely fatal, it is debilitating; most reported cases within Los Angeles County have required hospitalization.

The accumulation of fecal material also poses a potential risk of disease. Infectious agents in animal feces may be acquired as a result of direct contact with the animal, its feces or contaminated surfaces, or ingestion of food, dirt or sand contaminated with feces. The parasitic diseases include toxoplasmosis, cryptosporidiosis, giardiasis, roundworm, and hookworm. With many of these diseases, certain groups are at higher risk of serious disease or complications; these include the very young and the elderly, and persons with immune system weakness caused by medications, cancer, HIV, and pregnancy.

Toxoplasmosis is caused by *Toxoplasma gondii*, an infectious organism found in cat feces. In the United States, research documented in the National Health and Nutrition Examination Study (1999-2004) estimates that 11% of humans 12 years and older have been infected with this organism. Although infection usually does not cause symptoms, individuals infected with HIV or transplant recipients on immune-suppressive therapy can develop a deadly form of encephalitis. If infection occurs for the first time during pregnancy, the parasite can cross the placenta, possibly leading to severe consequences including miscarriage or death of the fetus. Up to 2% of humans infected with this organism after birth develop eye disease. Another disease, toxocariasis, is caused by accidental ingestion of cat roundworm eggs which are shed in cat feces. The parasite may migrate through tissue, causing damage to the various organs including the eyes. The cat hookworm larva may penetrate human skin and cause irritation as it migrates; however, it does not mature to adulthood in the human host. Giardiasis and cryptosporidiosis are diarrheal diseases easily transmitted from animal feces. Cryptosporidiosis is particularly dangerous and can be life-threatening in immunocompromised persons; there is no effective treatment for this disease.

County Policies Relating to Free-Roaming Cats

Several harmful bacteria can be transmitted in animal feces or fecally contaminated objects, surfaces, food, and water. The most common fecal pathogens are salmonella and campylobacter. These cause diarrhea, fever and abdominal pain; illness can be severe and rarely even fatal in some individuals.

Department of Public Health Response to Complaints

The presence of free-roaming cats, by itself, is not a violation of the County Health Code. However, when DPH finds, in response to a complaint from the public, a flea infestation or accumulation of feces, a Notice of Violation is issued to the property owner/responsible party to abate these conditions. In response to a Notice of Violation, the responsible party may elect to trap the cats themselves or with the assistance of a licensed pest control company and surrender the cats to a local shelter. Alternatively the responsible party may choose to chemically control the fleas on the cats and in the yard and regularly dispose of fecal material where there is a risk of human infection. In either case, DPH considers the Notice of Violation to be complied with as long as the conditions which presented the potential health risk or public nuisance have been abated. DPH does not trap cats from public or private property, nor does DPH require the responsible party to trap and eliminate cats from affected properties.

Department of Animal Care and Control's Jurisdiction and Policies

The Department of Animal Care and Control's jurisdiction over animals in Los Angeles County is limited geographically to the unincorporated areas of

the County and to the 50 cities it contracts with to provide animal care and control services. Other animal care and control agencies within the County may respond to challenges raised by free-roaming cats differently.

DACC does not usually trap cats unless they are sick, injured, or have bitten a member of the public. The majority of cats in County shelters are cats that have been surrendered to DACC by private owners who can no longer care for their cats, or by property owners who remove cats causing a nuisance on their property. All cats brought to County shelters are examined, treated, and are held for the period required by law. With some exceptions, cats are required to be held for six days, pending retrieval by their owners or adoption by the public or rescue organization, but many healthy, adoptable cats are held much longer. In the event a cat required to be held at a shelter is not retrieved by its owner or adopted, the County will, as a last resort, euthanize the cat.

DACC may order a property owner to reduce the number of animals to the legally allowed number of animals. In the unincorporated areas of Los Angeles County and in many of the contract cities, a property owner may legally keep three cats, or up to five cats if all cats are spayed and neutered and live primarily indoors. Citations may be issued for failure to comply with this order.

The County of Los Angeles encourages all pet owners to act responsibly and have their cats vaccinated, microchipped, spayed or neutered, and confined to the owner's property. All persons interested in adopting a cat from a Los Angeles County shelter are warmly encouraged to do so.

For more information, please visit the websites of the
Department of Public Health and the Department of Animal Care and Control:

<http://publichealth.lacounty.gov>

<http://animalcare.lacounty.gov>

10/21/09